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TO RUEHC/SECSTATE WASHDC PRIORITY 1730
INFO RUEHBR/AMEMBASSY BRASILIA PRIORITY 6525
RUEHCV/AMEMBASSY CARACAS PRIORITY 7112
RUEHLP/AMEMBASSY LA PAZ JAN 7637
RUEHPE/AMEMBASSY LIMA PRIORITY 3184
RUEHZP/AMEMBASSY PANAMA PRIORITY 8721
RUEHQT/AMEMBASSY QUITO PRIORITY 3793
RHEHNSC/NSC WASHDC PRIORITY

C O N F I D E N T I A L BOGOTA 000825

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E.O. 12958: DECL: 01/25/2016
TAGS: [PGOV](#) [PREL](#) [PTER](#) [ASEC](#) [CO](#)
SUBJECT: FARC ALLOWS THREE HOSTAGES TO ASK VENEZUELA FOR
ASYLUM; URIBE AGREES, CHAVEZ SUPPORTIVE, NEXT MOVE FOR FARC

Classified By: Ambassador William B. Wood Reason: 1.4 (b,d)

Summary

¶1. (C) Three of twelve Cali legislators the FARC kidnapped in 2002 requested "asylum" from Venezuela in a videotape the FARC made, edited, and delivered recently to hostages' families. Parts of the tape were later aired on television. President Uribe said he would support the move, notwithstanding legal doubts about the applicability of refugee or asylum law principles to the legislators, who are not being persecuted by the Colombian State. Senior Venezuelan officials, including President Chavez, sound receptive to the asylum idea. The hostages' motives in seeking their own release are clear and command sympathy in Colombia. The FARC hopes to embarrass Colombia and Uribe during this election year and demonstrate the President's inability to secure the hostages' release. No matter how this plays out, Colombians are by now inured to the FARC's cynical hostage plays. End summary.

Three Colombian Hostages Request Venezuela Asylum

¶2. (C) The RCN television network broadcast a FARC-staged videotape January 21 in which twelve Colombian legislators kidnapped in Cali in April 2002 sent messages to their families and described their difficult conditions of confinement; three of the twelve (Nacianceno Orozco, Carlos Narvaez, and Edison Perez) asked Chavez to grant them asylum. Two of the three (Narvaez and Orozco) said they were making the request because of the GOC's "disinterest" in and "indifference" to the hostages' fate. Narvaez said the asylum option was his third preferred solution to the problem, which should be pursued if the GOC continued to reject the FARC's demand for a "despeje" (demilitarized zone), and if the GOC refused to permit voters to cast ballots on a referendum-type question on hostage exchange during upcoming elections in Colombia. The videotape was the first "proof of life" of the legislators since the FARC released a similar video in October 2004. Commentators noted that the FARC taped, edited and distributed the video, and therefore had complete control over what was included.

Hostage Families Support Asylum Move

13. (C) Spouses of the kidnapped legislators and other hostage family spokespersons were quick to suggest that the asylum option was worth pursuing. They contacted presidential candidate Alvaro Leyva, whom Narvaez had suggested in the tape as a mediator. Leyva, who has met with the FARC on numerous occasions and is a critic of Uribe's approach to the guerrilla group, said he was doubtful that asylum was the appropriate (or even legal) vehicle to secure the legislators' release. Other legal experts also questioned the applicability of "asylum" since the people seeking asylum are not being persecuted by the Colombian State.

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Uribe Agrees to Asylum, Chavez Seems Supportive
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14. (C) Uribe immediately said he would agree to the asylum request and was sure that Chavez would be receptive. Chavez was quoted as saying he would do anything to facilitate peace in Colombia, and Foreign Minister Rangel apparently said January 24 that Venezuela would open its doors to "any persecuted person anywhere in the world, who has difficulties being able to live in their country," but to the best of our knowledge Venezuela has not responded formally to the legislators request. On January 24, Uribe responded to critics of the "legality" of the asylum request by saying he was not concerned under which rubric the legislators returned to their families, and emphasized he would support the transfer of the legislators to Venezuela whether or not it was "legal" under interpretations of asylum or refugee law.

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Comment: Hostages' Motives Clear, FARC Less So
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15. (C) The request for asylum has generated interest. The FARC's motives in publishing the tape are unclear. Some motives attributed to the FARC include seeking formal belligerent status; hoping for formal relations with Venezuela that "asylum negotiations" might involve; purporting to demonstrate the "illegitimacy" of the Colombian State and Uribe's inability to help the hostages; and trying to recover from its rejection of the most recent French-Swiss-Spanish proposal. With Uribe's quick acceptance of the asylum concept and Venezuela's apparent sympathy, the ball appears to be back in the FARC's court, perhaps quicker than it expected.

WOOD